

U.S. DISTRICT COURT
EASTERN DISTRICT OF
NEW YORK
BROOKLYN OFFICE

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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56 WILLOUGHBY A LLC AND 56
WILLOUGHBY B LLC,

Plaintiffs,

-against-

JACK ZHANG,

Defendant.

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AMON, United States District Judge:

NOT FOR PUBLICATION
MEMORANDUM & ORDER
20-CV-3973 (CBA) (SJB)

On July 6, 2020, plaintiffs 56 Willoughby A LLC and 56 Willoughby B LLC (“Plaintiffs”) filed suit against defendant Jack Zhang (“Defendant”), alleging breach of a real estate guaranty agreement. Plaintiffs sought \$113,000 in damages, together with prejudgment interest, attorney’s fees and costs, and post-judgment interest. Zhang did not answer or otherwise respond to Plaintiffs’ complaint. On October 23, 2020, the Clerk of Court entered a default against Zhang. On January 8, 2021, Plaintiffs moved for a default judgment. On January 8, 2021, I referred that default judgment motion to the Honorable Sanket A. Bulsara, United States Magistrate Judge, for report and recommendation. Magistrate Judge Bulsara entered a thorough and well-reasoned report and recommendation on July 27, 2021 recommending that the motion for default judgment be granted. Magistrate Judge Bulsara recommended granting Plaintiff’s request for \$113,000 in damages but reducing their requested attorney’s fees award. (Report and Recommendation, Docket Entry Number 18 at 17 – 21) (“R&R”). It total, Magistrate Judge Bulsara recommended an award of \$129,310.10, plus interest of \$27.86 per day from October 1, 2019 through the date of this decision. Magistrate Judge Bulsara also awarded interest at 9% annually through the entry of final judgment. *Id.* at 25. A copy of the report and recommendation was served on Zhang on July 28, 2021. (Docket Entry Number 19) (“D.E. No.”)

No party has objected to the R&R, and the time for doing so has passed. When deciding whether to adopt an R&R, a district court “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1)(C). To accept those portions of the R&R to which no timely objection has been made, “a district court need only satisfy itself that there is no clear error on the face of the record.” Jarvis v. N. Am. Globex Fund, L.P., 823 F. Supp. 2d 161, 163 (E.D.N.Y. 2011) (internal quotation marks and citation omitted).

I have reviewed the record, and finding no clear error, I adopt the R&R. I grant Plaintiff’s motion for default judgment in part, awarding Plaintiffs:

- \$113,000 in damages;
- \$15,617.50 in attorney’s fees;
- \$692.60 in costs;
- \$27.86 per day in interest from October 1, 2019 through the date of this order;
- Interest at a rate of 9% per annum on the total award from the date of this order through the date of entry of final judgment.

The Clerk of Court is respectfully direct to enter judgment accordingly in this case.

SO ORDERED.

Dated: August 16, 2021
Brooklyn, New York

/s/ Carol Bagley Amon
Carol Bagley Amon
United States District Judge